

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JERRY WILLIAMS, MOSES	:	
GRAY, and AARON	:	
THOMPSON,	:	
Plaintiffs,	:	Civil Action File No.
	:	
vs.	:	1:16-cv-00375-TWT
	:	
CLARKE'S TOWING &	:	
TRANSPORTATION, INC. and	:	
HENRY CLARKE,	:	
	:	
Defendants.	:	

CONSENT JUDGMENT

The above FLSA case having come before the Court for trial; the Parties being afforded the opportunity to present evidence and testimony and the Parties having reached agreement to resolve the case in its entirety, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Plaintiff Jerry Williams is awarded \$4,512.54 in due but unpaid minimum wage and overtime compensation and \$4,512.54 in liquidated damages;
2. Plaintiff Moses Gray is awarded \$1,106.94 in due but unpaid minimum wage and overtime compensation and \$1,106.04 in liquidated damages;
3. Plaintiff Aaron Thompson is awarded is awarded \$473.46 in due but unpaid minimum wage and overtime compensation and \$473.46 in liquidated damages;

4. As prevailing plaintiffs under the FLSA, Plaintiffs are awarded their costs of litigation, including their reasonable attorneys' fees in the amount of \$41,814.14;
5. Defendants' counterclaim is dismissed with prejudice;
6. The total amount of all sums due from Defendants to Plaintiffs is \$54,000.00, for which Defendants are jointly and severally liable;
7. On or before the first day of every month, beginning with August 1, 2017, Defendants will deliver to Kevin D. Fitzpatrick, Jr. at 3100 Centennial Tower, 101 Marietta Street, N.W., Atlanta, GA, 30303 a check made payable to "Kevin D. Fitzpatrick, Jr. IOLTA" in an amount of no less than One Thousand Dollars and No Cents (\$1,000.00);
8. On July 12, 2018 and each July 12 thereafter until the entire balance including interest has been paid, interest will be assessed at a rate of Four Percent (4%) of the outstanding balance due and then added to the balance due;
9. If any payment is not delivered on or before the due date, Plaintiffs shall provide notice of non-payment to Defendants via Scott B Kuperberg. If Defendants fail to make payment within 72 hours of receipt of a notice of non-payment, the entire balance due including accrued interest, shall be come due and payable immediately;

IT IS SO ORDERED this 13th day of July 2017.

/s/Thomas W. Thrash
Thomas W. Thrash
United States District Judge

Consented to by:

**DeLONG, CALDWELL, BRIDGERS,
FITZPATRICK & BENJAMIN LLC**

/s/ Kevin D. Fitzpatrick, Jr.
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